

**REMARKS**

The Office Action dated October 16, 2006, has been carefully considered. Claims 1-9 are currently pending. Claims 10-15 have been withdrawn. Applicants request that the Examiner consider the following remarks, and then pass the application to allowance.

**Claims Rejections – 35 U.S.C. §112:**

Claims 1-9 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-4 have been amended to recite said "electrically heated" smoking device. Accordingly, the rejection under 35 U.S.C. §112, second paragraph should be withdrawn.

**Conclusion**

In the event that there are any questions concerning this Amendment or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution may be expedited.

Respectfully submitted,

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